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E-Filed on 12/5/07

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5 Attorneys for USACM Liquidating Trust

6 **UNITED STATES BANKRUPTCY COURT**  
7 **DISTRICT OF NEVADA**

8 In re:

9 USA COMMERCIAL MORTGAGE  
COMPANY,

10 USA CAPITAL REALTY ADVISORS,  
LLC,

11 USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

12 USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

13 USA SECURITIES, LLC,  
14 Debtors.

15 **Affects:**

- 16  All Debtors
- 17  USA Commercial Mortgage Company
- 18  USA Capital Realty Advisors, LLC
- 19  USA Capital Diversified Trust Deed Fund,  
LLC
- 20  USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**NOTICE OF WITHDRAWAL OF  
PROOF OF CLAIM FILED BY THE  
JOHN W AND BARBARA S GAY  
TRUST**

21  
22 **PLEASE TAKE NOTICE** that the USACM Liquidating Trust ("USACM Trust")  
23 filed its Fifteenth Omnibus Objection to Proofs of Claim Asserting Secured Status on  
24 March 20, 2007 [DE 3161], which included an objection to Proof of Claim No. 10725-  
25 00725 filed by the John W. and Barbara S. Gay Trust in the amount of \$50,466.00.  
26

**LEWIS  
AND  
ROCA  
LLP**

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The John W. and Barbara S. Gay Trust responded to the USACM Trust's Fifteenth Omnibus Objection with an informal withdrawal of their proof of claim, attached as Exhibit A.

RESPECTFULLY SUBMITTED December 5, 2007.

## LEWIS AND ROCA LLP

By /s/ RC (#006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

## PROOF OF SERVICE

Copy of the foregoing mailed by First Class, US Mail, postage prepaid, on December 5, 2007 to the following interested party:

The John W. and Barbara S. Gay Trust  
c/o John W. Gay  
PO Box 974, #54 Hoff Road  
Kenwood, CA 95453

/s/ Christine E. Laurel  
Christine E. Laurel  
Lewis and Roca